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Attorneys for Plaintiff
United States of America

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

ROBERT JAMES HANNA,

Defendant.

CASE NO. 2:20-CR-0006 KJM

STIPULATION AND ORDER MODIFYING
BRIEFING SCHEDULE REGARDING
DEFENDANT'S MOTION PURSUANT TO 28
U.S.C. §2255

STIPULATION

The United States, by and through its attorney of record, Michele Beckwith, and defendant Robert James Hanna, by and through his attorney of record, Erin J. Radekin, respectfully submit this stipulation and proposed order modifying the briefing schedule pertaining to Mr. Hanna's motion pursuant to 28 U.S.C. § 2255, ECF No. 41.

The parties agree and stipulate as follows:

1. Mr. Hanna's pro se motion under 28 U.S.C. § 2255 was filed on September 8, 2022. ECF No. 41.

2. On August 17, 2023, the Court adopted the parties' stipulation modifying the previously set briefing schedule pertaining to Mr. Hanna's § 2255 motion. ECF No. 62. Pursuant to the order, a supplemental brief in support of Mr. Hanna's motion or a notice of non-supplementation was due no later than August 29, 2023. Any response from the government was due 30 days thereafter, i.e., by

September 30, 2023.

3. On August 29, 2023, Mr. Hanna filed a motion for leave to amend his pending §2255 motion.

4. After receiving that motion, counsel for the government reviewed it and began researching the record and various issues raised by the motion, including ordering additional records from state court. Despite this diligence, counsel for the government needs additional time to finish researching and drafting the response to defendant's motion. Counsel has a pre-paid vacation beginning September 20, 2023, and will not be back in the office until October 2, 2023. Based on the foregoing, the parties have conferred and agree that a modification of the briefing schedule is warranted to allow the government additional time to respond to the pending defense motion.

5. The parties agree to the following modification of the briefing schedule. The government's opposition, or statement of non-opposition, will be due on October 22, 2023. Any reply to the government's brief is due 15 days after the government's brief is filed.

IT IS SO STIPULATED.

Dated: September 19, 2023

PHILLIP A. TALBERT
United States Attorney

/s/ MICHELE BECKWITH
MICHELE BECKWITH
Assistant United States Attorney

Dated: September 19, 2023

/s/ ERIN RADEKIN
ERIN RADEKIN
Counsel for Defendant
ROBERT JAMES HANNA

ORDER

IT IS SO FOUND AND ORDERED this 29th day of September, 2023.


CHIEF UNITED STATES DISTRICT JUDGE